# UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

JACKIE LEFLER and FRED SALMO, on Behalf of Themselves and All Others Similarly Situated C.A. No. 05-10065 (PBS) Plaintiffs, v. DOUGLAS A. HACKER, JANET LANGFORD KELLY, RICHARD W. LOWRY, CHARLES R. NELSON, JOHN J. NEUHAUSER, PATRICK J. SIMPSON, THOMAS E. STITZEL, THOMAS C. THEOBALD, ANNE-LEE VERVILLE, RICHARD L. WOOLWORTH, MARGARET EISER, LEO A. GUTHART, JEROME KAHN, JR., STEVEN N. KAPLAN, DAVID C. KLEINMAN, ALLAN B. MUCHIN, ROBERT E. NASON, JOHN A. WING, WILLIAM E. MAYER, CHARLES P. MCQUAID, RALPH WANGER, COLUMBIA MANAGEMENT GROUP, INC., COLUMBIA MANAGEMENT ADVISORS, INC., **COLUMBIA WANGER ASSET** MANAGEMENT, LP, and JOHN DOES NO. 1 through 100, Defendants.

# THIRD ASSENTED TO MOTION TO EXTEND TIME TO RESPOND TO COMPLAINT

Defendant Columbia Management Advisors, Inc., by its attorneys, hereby moves with the assent of the Plaintiffs, to extend their time to answer, move, or otherwise respond to the Complaint to up to and including May 31, 2005. As grounds for their motion, Defendant Columbia Management Advisors, Inc. submits that it requires this additional time to investigate Plaintiffs' claims.

Defendant Columbia Management Advisors, Inc. further requests, with the assent of the Plaintiffs, that any other defendant served or subsequently served in the above-referenced action have at least until May 31, 2005 to answer, move, or otherwise respond to the Complaint.

WHEREFORE, Defendant Columbia Management Advisors, Inc. requests that its motion be allowed, that its time to answer, move, or otherwise respond to the Complaint be extended up to and including May 31, 2005, that any other defendant served or subsequently served in the above-referenced action have at least until May 31, 2005 to answer, move, or otherwise respond to the Complaint, and that this Court grant such other and further relief as it deems just and proper.

#### COLUMBIA MANAGEMENT ADVISORS, INC.

By its attorneys,

/s/ Frances S. Cohen

DECHERT LLP Frances S. Cohen (BBO # 542811) 200 Clarendon Street, 27th Floor Boston, MA 02116 (617) 728-7100 (phone) | (617) 426-6567 (fax)

Adam J. Wasserman 30 Rockefeller Plaza New York, NY 10112-2200 | (212) 698-3500 (phone) | (212) 698-3599 (fax)

JACKIE LEFLER and FRED SALMO, on Behalf of Themselves and All Others Similarly Situated

By their attorneys,

/s/ David Pastor

GILMAN AND PASTOR, LLP David Pastor (BBO #391000) Stonehill Corporate Center 999 Broadway, Suite 500 Saugus, MA 01906 (781) 231-7850 (phone) | (781) 231-7840 (fax) Randall K. Pulliam BARON & BUDD, P.C. 3102 Oak Lawn Avenue, Suite 1100 Dallas, TX 75219-4281 (214) 521-3605 (phone) | (214) 520-1181 (fax)

J. Allen Carney Hank Bates CAULEY BOWMAN CARNEY & WILLIAMS, LLP 11311 Arcade Drive, Suite 200 Little Rock, AK 72212 (501) 312-8500 (phone) | (501) 312-8505 (fax)

Dated: April 22, 2005

### **Local Rule 7.1(A)(2) Certification**

I hereby certify that counsel for Defendant Columbia Management Advisors, Inc. conferred with counsel for the Plaintiffs in a good faith effort to resolve or narrow the issues presented by this motion and counsel for the Plaintiffs has assented to this motion.

> /s/ Frances S. Cohen Frances S. Cohen

Dated: April 22, 2005

### **CERTIFICATE OF SERVICE**

I, Frances S. Cohen, hereby certify that a true copy of the above document was served upon the attorney of record for each other party by email on this 22nd day of April, 2005.

> /s/ Frances S. Cohen Frances S. Cohen